

AGENDA Committee on Public Safety Thursday, May 12, 2016 @ 4:50 p.m. *(Note Date/Time) City Council Conference Room, 10th Floor, City Hall

Councilmember Carol Wood, Chair Councilmember Adam Hussain, Vice Chair Councilmember Kathie Dunbar, Member

- 1. Call to Order
- 2. Roll Call
- 3. Minutes
- 4. Public Comment on Agenda Items
- 5. Discussion/Action:
 - A.) ORDINANCE Moratorium on the creation of new medical marihuana establishments
- 6. Other
- 7. Adjourn
- Pending Continued discussion regarding medical marihuana licensing ordinance (May 13, 2016 Public Safety Meeting, 3:30 p.m.)
- Pending Continued discussion regarding 3200 S. Washington (May 17, 2016)
- Pending Update on Community Police Officers with LPD
- Pending Discussion regarding lead

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MINUTES Committee on Public Safety Thursday, May 12, 2016 @ 4:50 p.m. Tenth Floor Conference Room – Lansing City Hall

CALL TO ORDER

The meeting called to order at 4:53 p.m.

ROLL CALL

Councilmember Carol Wood, Chair Councilmember Adam Hussain, Vice Chair Councilmember Kathie Dunbar, Member - Absent

OTHERS PRESENT

Courtney Vincent, Council Administrative Assistant Steve Japinga, Lansing Regional Chamber of Commerce Kathy Miles, Rejuvenating South Lansing Elane M. Womboldt, Rejuvenating South Lansing

Minutes

There were no minutes for approval.

Public Comment on Agenda Items

Councilmember Wood opened the floor for public comment after noting that there would also be an opportunity for comment on the proposed Medical Marihuana Moratorium at the Public Hearing scheduled for 5:00 p.m.

Ms. Elane Womboldt, a representative of Rejuvenating South Lansing, thanked the Committee for its work on the issue of medical marihuana.

Mr. Steve Japinga, representing the Lansing Regional Chamber of Commerce, thanked the Committee for its work on the issue of medical marihuana.

Discussion/Action:

<u>ORDINANCE – Moratorium on the creation of new medical marihuana establishments</u> Councilmember Wood stated that there had not been any draft changes since it had last been presented to the Committee.

Councilmember Hussain pointed out that the word "superceeding" as written on Page 2, Line 7 of the proposed ordinance was misspelled and should read "superseding." He also stated that the phrase "and its implications for the city" on Page 2, Line 1 should have a comma after the

word "city." He also asked for a better definition of the phrase "starting operations" as used on Page 1, Lines 1-2.

Councilmember Wood stated that the clarification of "starting operations" would be discussed by City Council during the Public Hearing. She agreed that the two grammatical errors needed to be fixed, creating a new draft of the ordinance to be addressed by City Council during the Public Hearing.

MOTION BY COUNCILMEMBER HUSSAIN TO APPROVE THE ORDINANCE IMPOSING A MORATORIUM ON THE CREATION OF NEW MEDICAL MARIHUANA ESTABLISHMENTS. MOTION CARRIED 2-0.

Councilmember Wood requested Ms. Vincent to create the third draft of the ordinance reflecting the two grammatical changes for the Public Hearing. She then stated that City Council had received several letters from citizens and organizations addressing the issue of medical marihuana dispensaries and the moratorium, and that those letters would be included in the record for the Public Hearing.

ADJOURN

The meeting was adjourned at 4:57 p.m. Submitted by, Courtney Vincent, Administrative Assistant Lansing City Council Approved: May 27, 2016

CITY COUNCIL DRAFT #2 APRIL 25, 2016

1	ORDINANCE NO
2	AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO ADD CHAPTER
3	878 TO THE LANSING CODIFIED ORDINANCES BY IMPOSING A MORATORIUM ON
4	THE CREATION OF NEW MEDICAL MARIHUANA ESTABLISHMENTS.
5	THE CITY OF LANSING ORDAINS:
6	Section 1. That chapter 878 be added to the codified ordinances of the City of Lansing,
7	Michigan, to read as follows:
8	CHAPTER 878. MEDICAL MARIHUANA ESTABLISHMENTS
9	878.01. LEGISLATIVE FINDINGS
10	THE CITY COUNCIL HAS DETERMINED THAT:
11	(a) THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421 ET SEQ.,
12	PRESCRIBES HOW MEDICAL MARIHUANA IS TO BE DISPENSED FROM A PRIMARY
13	CAREGIVER TO A QUALIFIED PATIENT.
14	(b) THE CITY IS DILIGENTLY STUDYING ITS OPTIONS WITH RESPECT TO
15	REGULATION OF OTHER ACTIVITY RELATING TO THE PROVISION OF MEDICAL
16	MARIHUANA PURSUANT TO THE MICHIGAN MEDICAL MARIHUANA ACT, WHICH
17	REQUIRES CAREFUL CONSIDERATION OF THE MICHIGAN MEDICAL MARIHUANA
18	ACT AND ITS IMPLICATIONS TO THE CITY.
19	(c) A MORATORIUM ON NEW MEDICAL MARIHUANA ESTABLISHMENTS
20	STARTING OPERATIONS AFTER THE EFFECTIVE DATE OF THIS ORDINANCE,
21	UNTIL THE CITY HAS COMPLETED ITS STUDY OF THE MICHIGAN MEDICAL

- 1 MARIHUANA ACT AND ITS IMPLICATIONS FOR THE CITY IS IN THE BEST
- 2 INTEREST OF THE PUBLIC HEALTH, SAFETY, AND WELFARE.
- 3 (d) NO VESTED RIGHTS
- 4 A PROPERTY OWNER SHALL NOT HAVE VESTED RIGHTS OR NON-CONFORMING
- 5 USE RIGHTS THAT WOULD SERVE AS A BASIS FOR FAILING TO COMPLY WITH
- 6 THIS ORDINANCE OR ANY AMENDMENT OF THIS ORDINANCE OR ANY
- 7 SUPERCEEDING ORDINANCE.

8

- 9 878.02. DEFINITIONS
- 10 (1) ANY TERM DEFINED BY THE MICHIGAN MEDICAL MARIHUANA ACT, MCL
- 11 333.26421 ET SEQ., SHALL HAVE THE MEANING GIVEN IN THE MICHIGAN MEDICAL
- 12 MARIHUANA ACT.
- 13 (2) "MEDICAL MARIHUANA ESTABLISHMENT" MEANS ANY NONRESIDENTIAL
- 14 LAND USE INVOLVING THE GROWTH, DISTRIBUTION, STORAGE, OR USE OF
- 15 MARIHUANA.
- 16 (3) "NEW" MEANS ANY MEDICAL MARIHUANA ESTABLISHMENT THAT BEGAN
- 17 OPERATING AFTER THE EFFECTIVE DATE OF THIS ORDINANCE.
- 18 (4) "OPERATING/OPERATIONS" MEANS ENGAGING IN THE PROVISION OR
- 19 DISPENSING OF MEDICAL MARIHUANA.
- 20 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
- 21 inconsistent with the provisions hereof are hereby repealed.

CITY COUNCIL DRAFT #2 APRIL 25, 2016

1	Section 3. Should any section, clause or phrase of this ordinance be declared to be
2	invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof
3	other than the part so declared to be invalid.
4	Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
5	immediate effect by City Council.
6 7 8 9 10	Approved as to form:
9 10	City Attorney Dated:
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ORDINANCE NO. 1 AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO ADD CHAPTER 2 3 878 TO THE LANSING CODIFIED ORDINANCES BY IMPOSING A MORATORIUM ON THE CREATION OF NEW MEDICAL MARIHUANA ESTABLISHMENTS. 4 5 THE CITY OF LANSING ORDAINS: Section 1. That chapter 878 be added to the codified ordinances of the City of Lansing, 6 7 Michigan, to read as follows: 8 CHAPTER 878. MEDICAL MARIHUANA ESTABLISHMENTS 9 878.01. LEGISLATIVE FINDINGS THE CITY COUNCIL HAS DETERMINED THAT: 10 11 THE MICHIGAN MEDICAL MARIHUANA ACT, MCL 333.26421 ET SEO. 12 PRESCRIBES HOW MEDICAL MARIHUANA IS TO BE DISPENSED FROM A PRIMARY 13 CAREGIVER TO A QUALIFIED PATIENT. THE CITY IS DILIGENTLY STUDYING ITS OPTIONS WITH RESPECT TO 14 15 REGULATION OF OTHER ACTIVITY RELATING TO THE PROVISION OF MEDICAL 16 MARIHUANA PURSUANT TO THE MICHIGAN MEDICAL MARIHUANA ACT, WHICH 17 REQUIRES CAREFUL CONSIDERATION OF THE MICHIGAN MEDICAL MARIHUANA 18 ACT AND ITS IMPLICATIONS TO THE CITY. 19 A MORATORIUM ON NEW MEDICAL MARIHUANA ESTABLISHMENTS (c) STARTING OPERATIONS AFTER THE EFFECTIVE DATE OF THIS ORDINANCE, 20 21 UNTIL THE CITY HAS COMPLETED ITS STUDY OF THE MICHIGAN MEDICAL

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- 18 (4) "OPERATING/OPERATIONS" MEANS ENGAGING IN THE PROVISION OR
- 19 DISPENSING OF MEDICAL MARIHUANA.
- Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
- 21 inconsistent with the provisions hereof are hereby repealed.

CITY COUNCIL DRAFT #3 May 12, 2016

1	Section 3. Should any section, clause or phrase of this ordinance be declared to be
2	invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof
3	other than the part so declared to be invalid.
4	Section 4. This ordinance shall take effect on the 30th day after enactment, unless given
5	immediate effect by City Council.
6	Approved as to form:
6 7 8 9 10	City Attorney
10	Dated:
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